



REPORT ON THE NEAR FATALITY OF:

[REDACTED]

Date of Birth: 12/03/2013
Date of Incident: 07/23/2016
Date of Report to ChildLine: 07/25/16
CWIS Referral ID: [REDACTED]

**FAMILY NOT KNOWN AT TIME OF INCIDENT
OR WITHIN THE PRECEDING 16 MONTHS:**

Lehigh County Office of Children and Youth Services

FAMILY KNOWN WITHIN THE PRECEDING 16 MONTHS:

Bucks County Children and Youth Service Agency

REPORT FINALIZED ON:
01/18/2017

Unredacted reports are confidential under the provisions of the Child Protective Services Law and cannot be released to the public.
(23 Pa. C.S. Section 6340)

Unauthorized release is prohibited under penalty of law.
(23 Pa. C.S. Section 6349 (b))

Reason for Review:

Pursuant to the Child Protective Services Law, the Department, through OCYF, must conduct a review and provide a written report of all cases of suspected child abuse that result in a fatality or near fatality. This written report must be completed as soon as possible but no later than six months after the date the report was registered with ChildLine for investigation.

The Child Protective Services Law also requires that county children and youth agencies convene a review when a report of child abuse involving a fatality or near fatality is substantiated or when a status determination has not been made regarding the report within 30 days of the report to ChildLine.

Lehigh County office of Children and Youth services convened a review team in accordance with the Child Protective Services Law related to this report. The county review team was convened on 08/22/2016.

Family Constellation:

<u>Name</u>	<u>Relationship</u>	<u>Date of Birth</u>
[REDACTED]	Victim Child	12/3/2013
[REDACTED]	Mother	[REDACTED] 1988
* [REDACTED]	Father	[REDACTED] 1989
* [REDACTED]	Sibling	[REDACTED] 2008
* [REDACTED]	Sibling	[REDACTED] 2011
[REDACTED]	Maternal great grandparents	UNK
* [REDACTED]	Babysitter [REDACTED]	[REDACTED] 1991
* [REDACTED]	Babysitter [REDACTED]	[REDACTED] 1991
* [REDACTED]	Child to [REDACTED]	[REDACTED] 2011

* Denotes an individual that is not a household member or did not live in the home at the time of the incident, but is relevant to the report. [REDACTED] [REDACTED] reside with the maternal great-grandparents

Summary of OCYF Child Near Fatality Review Activities:

The near fatality of victim child was reviewed by Lehigh County’s Fatality and Near Fatality Review Team on 8/18/2016. Northeast Regional Office (NERO) staff participated in this meeting.

The review meeting included a review of the agency file with the family, a review of the medical file and discussion related to the incident, Victim child's condition, updates regarding the pending investigations, and recommendations related to the case plan, agency, and community. Interviewed Lehigh County Office of Children and Youth Services (LCOCYS) caseworker [REDACTED] Reviewed child protection consult team report from Child Advocacy Center of Lehigh County.

Children and Youth Involvement prior to Incident:

There is no prior agency involvement with Lehigh County regarding victim child or family. There was an invalid GPS referral made to Bucks County on 7/6/2016 with concerns of victim child's mother's [REDACTED] Bucks County obtained information that victim child's mother was [REDACTED] Bucks County Children and Youth participated in this Act 33 Near Fatality Review Team Meeting via conference phone, sharing this information regarding their involvement.

Circumstances of Child Near Fatality and Related Case Activity:

This is the family's first referral to this agency. On 07/23/2016 victim child was referred due to suffering [REDACTED] reportedly from a fall down the stairs in the babysitter's home while his mother was at work. The victim child also presented with additional bruises on his head and back [REDACTED] He was certified in serious condition by Dr. [REDACTED] and expected to survive. Victim child was admitted to [REDACTED] at Lehigh Valley Hospital, [REDACTED]

Around 9:30 am on 7/22/2016, victim child's mother had left victim child with her former coworker, [REDACTED] in the home of [REDACTED] boyfriend, [REDACTED] The victim child was to remain with [REDACTED] for babysitting, including sleeping over on 7/22/2016, while child's mother went to work. This was reported by mother to be one of multiple occasions where victim child was babysat by [REDACTED] Also present in the home with [REDACTED] was the babysitter's child, a five year-old son. Victim child's mother reported to medical providers that she received a phone call from [REDACTED] around 10 am on 7/23/2016, stating that victim child had fallen down the stairs and that he was being taken to the emergency room.

The victim child was brought in to the hospital for a supposed accidental fall down 15 carpeted stairs. The incident occurred at [REDACTED] home and he was the sole caretaker of the victim child during the time the injuries occurred. [REDACTED] stated that the mother was at work. When interviewed by LOCYS, [REDACTED] stated that the victim child woke up and was banging on his door. When [REDACTED] opened the door, the victim child kicked him, ran past him, and then, must have fallen down the stairs. [REDACTED] denied intentionally causing the injuries to the victim child. He reported that his paramour was still asleep in his

bedroom when the incident occurred. [REDACTED] reported that when the victim child arrived to his home the night before, the only bruises present were on the victim child's knee. He stated the victim child also had a red mark on his forehead and that this was from the victim child bumping his head on a coffee table at his primary home.

[REDACTED] stated the victim child was first taken to an urgent care center, but the center would not treat the child because the victim child's mother was not there. The victim child was then brought to the hospital emergency room, where the mother met them. The victim child was examined [REDACTED] scattered bruises on his head and back, [REDACTED] The victim child was admitted [REDACTED] doctor determined that the victim child's injuries were not consistent with a fall down the stairs.

[REDACTED] paramour has a 5-year-old child who resides in the home with her and [REDACTED]

On 7/24/16, an agency on call caseworker visited the victim child in the hospital, received an update on victim child's condition, and took photos. Due to victim child's age and verbal limitations, he was not able to provide a history of his injuries. The caseworker also met with [REDACTED] who denied they had done anything to victim child to cause his injuries. [REDACTED] said that the child misbehaves and it is the victim child's mother. [REDACTED] stated that victim child had "hit him in the balls" and took off running in the house, which led him to falling down the stairs. A safety plan was implemented by the agency on 7/24/2016 when there was determined to be an active threat endangering [REDACTED] child, son of [REDACTED] child resided in the home with his mother and her boyfriend, [REDACTED]. The safety threat that prompted the safety plan was, specifically, that his care was being provided by [REDACTED] who were both under investigation for causing bodily injury to victim child and neither were providing history consistent with victim child's serious and life threatening injuries. The safety plan ensured [REDACTED] child would have no contact with [REDACTED] and only supervised contact with his mother, [REDACTED]. This plan resulted in [REDACTED] relocating with her child out of the home of [REDACTED] and into the home of a relative who would provide for the full-time supervision of [REDACTED] child.

On 7/25/2016, agency CPS investigator interviewed the alleged perpetrators who reported they had been sleeping overnight together in a room separate from victim child. [REDACTED] was awakened to victim child banging on the door and wanting to be let out of his room. [REDACTED] reported the door to this room gets stuck, so they knew that victim child would not be able to open the door on his own. [REDACTED] said when he opened victim child's bedroom door; the victim child kicked him twice and ran out of the room, bumping his head on the door. [REDACTED] stated victim child ran past him and fell down approximately 15 carpeted basement stairs. The basement stairwell is not kept consistently locked, despite it having a key code on the door,

according to [REDACTED] reported victim child "ping-ponged" down the steps. [REDACTED] stated [REDACTED] was asleep during this incident and did not see victim child fall down the stairs, which [REDACTED] confirmed. [REDACTED] confirmed the only bruises that victim child had upon his arrival to their care were marks on his knee and a red mark on his forehead. This was confirmed by victim child's mother who had photos she had taken of the victim child prior to his overnight stay with [REDACTED] reported that when the child started exhibiting lethargy following his fall, they took him first to a nearby urgent care center, who would not see the child due to the parent not being present. They then went to a local emergency room, where mother met them. LCOCYS was not able to confirm that victim child had been taken to the urgent care center and victim child's mother states the only plan that was relayed to her from [REDACTED] was that she meet them at the emergency room. [REDACTED] failed a polygraph examination regarding this history of victim child's injuries on 8/21/2016.

As part of the investigation, [REDACTED] child underwent a forensic interview to determine if he heard or saw any non-accidental injury to victim child but [REDACTED] child did not provide a history different than the one provided by his mother, [REDACTED]

Upon notification by the victim child's mother that victim child had been hospitalized, victim child's father took time away from his employment and travelled from his home in [REDACTED] South Carolina, where he resides with his girlfriend and her son, to come be with victim child. Child's father sought and received an emergency custody order from Bucks County Court of Common Pleas that placed victim child in his full time care for six months, followed by a monthly rotation of care between child's father and child's mother. Child's father and child's mother, who were previously married but currently divorced, have a history of sharing the care of victim child. Both child's father and child's mother have histories [REDACTED] They share two other children, [REDACTED] who are in the physical and legal custody of maternal great-grandparents. Child's father and child's mother maintain relationships with their other two children.

Upon victim child's [REDACTED] on 7/29/2016, he went with his father. While victim child's father has secured a follow up [REDACTED] medical examination for victim child along with [REDACTED] program, he has had difficulty in obtaining [REDACTED] medical follow-ups recommended by Lehigh Valley Health Network, [REDACTED]

[REDACTED] Services were unable to assess victim child's developmental milestones due to his age not meeting eligibility requirements. The Lehigh County Office of Children and Youth Services will assist victim child's mother in securing this follow up care upon victim child's return to Pennsylvania in the December 2016 and January 2017 period.

On 7/23/16 [REDACTED] at Lehigh Valley Hospital noted concern for non-accidental trauma when victim child presented with loss of consciousness, significant bruising [REDACTED] because the family's history of incident was not consistent with victim child's injuries. The Child Protection Team was consulted and on 7/24/2016 determined that victim child's [REDACTED] were consistent with physical abuse and abusive head trauma.

The child had bruises on the following parts of his body: scalp, face, neck, chest, both arms and both thighs. [REDACTED]

[REDACTED]

Victim child was [REDACTED] on 7/29/2016 with a recommendation for a repeat skeletal survey; [REDACTED] and a follow up exam at the [REDACTED]

The CPS investigation outcome was submitted on September 21, 2016. The investigation resulted in Indicated status against [REDACTED] for commission of bodily injury. [REDACTED] was criminally charged with Aggravated Assault, Simple Assault, and Reckless Endangerment on November 16, 2016 and is detained in [REDACTED] Prison.

Summary of County Strengths, Deficiencies and Recommendations for Change as Identified by the County Child (Near) Fatality Report:

- Strengths in compliance with statutes, regulations and services to children and families
 - Child is in the care of his father, in South Carolina and having no contact with the perpetrator.

- Deficiencies in compliance with statutes, regulations and services to children and families;
 - None noted

- Recommendations for changes at the state and local levels on reducing the likelihood of future child fatalities and near fatalities directly related to abuse

- Victim child will require follow up medical care, which will be obtained by his father. Agency should verify the child received medical care while in his father's care from February through June of this year.
- Victim child should be assessed for developmental delays [REDACTED] [REDACTED] which will be obtained by his father.
- Recommendations for changes at the state and local levels on monitoring and inspection of county agencies:
 - None noted
- Recommendations for changes at the state and local levels on collaboration of community agencies and service providers to prevent child abuse.
 - Agency should seek assistance for victim child and his father through South Carolina's child welfare system, including any nearby Child Advocacy Center, which might be available for the family.

Department Review of County Internal Report:

- The Lehigh County OCYS County review Team report was received on 11/18/16.
- On 11/22/2016, the Northeast Regional Office of Children Youth and Families contacted Lehigh County OCYS via email regarding the family constellation included in the county's report.
- No area of non-concurrence

Department of Human Services Findings:

- County Strengths:
 - Act 33 county review team is diverse with medical, law enforcement and community-based family services represented. Information including notes, photos and medical reports were available for review and discussion. Meeting was held within established timeline.
- County Weaknesses:

- None noted
- Statutory and Regulatory Areas of Non-Compliance by the County Agency.
 - No areas of statutory and regulatory_non-compliance

Department of Human Services Recommendations:

It is suggested that attention be brought to parents/caregivers about their selection of childcare providers such as babysitters, family, friends and neighbors. OCYF may want to collaborate with OCDEL to develop user-friendly access to information in finding certified caregivers, and what to look out for when choosing to leave their children with people they may not know very well. April 2017 is National Child Prevention Month, a good time to consider these type activities.